Frederick County Community Development Division
Application of the Growth Tiers for Frederick County

The Draft Growth Tier map mostly follows MDP's implementation guidance document and staff has applied the growth tier criteria using the terminology of the County's Comprehensive Plan. The county has also established definitions for the references to "served" by public sewerage and "planned" to be served by public sewer based on the County's Water and Sewerage Plan classifications. Served by public sewerage system will be defined as classifications S-1 or S-3. Planned to be served by public sewerage system will be defined as classifications S-4, S-5, or PS. For areas that do not fit the criteria described below the state allows for the identification of sub-categories such as Tier I A, Tier II A etc. The county has several areas that are proposed for such sub-categories and are noted below.

Tier I Criteria
Tier I – areas currently served by public sewerage systems
Municipal Growth Areas
1. Within current municipal boundary, AND
2. Designated Priority Funding Area (PFA), AND
3. Sewer Classification of S-1 or S-3

Unincorporated Growth Areas
1. Within a community growth area boundary, AND
2. Sewer classification of S-1 or S-3

Tier I A
1. Areas with existing public sewer service NOT in a growth area
   - Pleasant Branch WWTP – Knolls of Windsor development and other uses in the service area
   - Samhill WWTP – Samhill Estates and Harvest Ridge developments
   - White Rock and Crestview subdivisions
   - Knoxville Rural Community
   - Blue Ridge Summit Rural Community (served through Washington County)
   - Mill Bottom Rd. area just west of Mt. Airy that has been identified as a potential sewerage problem area due to failing septics

Tier II Criteria
Tier II – areas planned to be served by public sewerage systems
Municipal Growth Areas
1. Within current municipal boundary, AND
2. Designated Priority Funding Area (PFA), AND
3. Sewer Classification of S-4, S-5, or PS
   OR
4. Outside current municipal boundary AND within municipal growth area/Municipal Growth Element boundary

Unincorporated Growth Areas
1. Within a community growth area boundary, AND
2. Sewer classification of S-4, S-5, or PS

Tier II A

1. Areas planned for public sewer NOT in a growth area
    - Village of Rosemont
2. Areas within a Municipal Growth Element (MGE) NOT planned for sewer service
    - Would include properties around Mt. Airy, Middletown, Walkersville, Woodsboro, and Thurmont
    - Would be applied to properties within the Walkersville municipal boundary, but are designated and zoned for Agricultural AND not planned for sewer service
3. Areas within an Unincorporated Growth Area NOT planned for sewer service
    - Be applied to Future Growth Areas as described in the 2010 County Plan (as amended September 2012) and include areas within the Ballenger Creek, Urbana, Jefferson, and Eastalco unincorporated growth areas.

Tier III Criteria

Areas not planned to be served by public sewerage systems and would allow for major subdivisions on individual septic systems.

Areas <u>outside</u> of Community Growth Areas

1. Designated Rural Communities, OR
2. Areas designated Rural Residential that are outside of a PPA, OR
3. Areas designated Limited Industrial, General Industrial, or Mineral Mining
4. The Town of Burkittsville

Tier IV Criteria

Areas planned for agricultural (including Priority Preservation Areas), resource protection, preservation, or conservation

Areas <u>outside</u> of Community Growth Areas

1. Areas designated Agricultural/Rural, Natural Resource, or Public Parkland/Open Space
2. Areas within a Priority Preservation Area (PPA)

Implications of the Growth Tier Mapping

To reiterate from the Septic Bill Highlights any limitation on major subdivisions ONLY applies to residential developments. Major subdivisions on septic for commercial, industrial and other non-residential developments will continue to be allowed in any property in a Tier III or IV area.

Tiers I and II

Properties within Tiers I and II will not experience any impediments to develop or have additional steps in the development review process. Municipalities will be able to consider annexation petitions regardless of which Tier the subject property is designated. Since the County's Water and Sewer Plan already prohibits properties from using individual septic systems if they have a sewer classification of S-1 to S-4, being in a Tier I or II would not have any additional implications.

Tier III

Properties within the Tier III will still be permitted to have major subdivisions (greater than five (5) lots) on individual septic systems. Since the County Planning Commission has always reviewed and approved major subdivisions the requirement under the Septic Bill for the planning board/commission to hold a "public hearing" will not add anything that we are not already doing. The one additional requirement will involve the submission of documentation for new major subdivisions with Tier III to the Maryland Department of the Environment (MDE). However, MDE **will not** have any review or approval authority over a subdivision application other than what is already required for the local health department septic approval.

Tier IV

With the initial submission of the Tier mapping to the state, major subdivisions on septic would not be permitted in Tier IV areas. This would affect properties zoned Agricultural (A) that are large enough (minimum of 75 acres) to have agricultural cluster rights that could allow for residential subdivisions greater than five (5) lots. However, with the granting by MDP of an exemption, major subdivisions on septic would continue to be allowed for in Tier IV. The primary standard for consideration of an exemption is whether the zoning applicable to the majority of the Tier IV area allows for a density of one (1) dwelling or fewer per 20 acres. If a local jurisdictions zoning meets this standard then the state would conduct additional analysis on subdivision history, and development regulations before a decision is rendered on the exemption request.